

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Group Art Unit: To Be Assigned
)	
NORMAN <i>et al.</i>)	Examiner: To Be Assigned
)	
Serial No.: To Be Assigned)	Atty. Docket No.: GP141-03.UT
)	
Filed: November 12, 2003)	
)	
For: ASSAY AND COMPOSITIONS)	
FOR DETECTION OF)	
BACILLUS ANTHRACIS)	
NUCLEIC ACID)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)(1)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each of the cited references is enclosed.

In accordance with 37 C.F.R. § 1.97(b)(1), this Information Disclosure Statement is being submitted within three months of the certified filing date of the instant application.

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

IDS

Serial No.: To Be Assigned
Atty. Docket No. GP141-03.UT

No fee is believed due in connection with this Information Disclosure Statement. If Applicants are mistaken, please charge the amount due to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Respectfully Submitted,

Date: November 12, 2003

By: Christine A. Gritzmacher
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3**Complete if Known**

Application Number	To Be Assigned
Filing Date	November 12, 2003
First Named Inventor	Sylvia A. Norman
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	GP141-03.UT

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,591,631 A	01-07-1997	Leppla et al.	
		US- 5,614,361 A	03-25-1997	Webster, Jr.	
		US- 5,677,274 A	10-14-1997	Leppla et al.	
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		US- 6,448,016 B1	09-10-2002	Rastogi et al.	
		US- 6,485,925 B1	11-26-2002	Duesbery et al.	
		US- 20020042051 A1	04-11-2002	Wittwer	
		US- 20020051791 A1	05-02-2002	Galloway et al.	
		US- 20020055628 A1	05-09-2002	Keim et al.	
		US- 20030170263 A1	09-11-2003	Williamson et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		JP06253846 A	09-13-1994	Chisso Corp.		
		JP06253847 A	09-13-1994	Chisso Corp.		
		JP06261759 A	09-20-1994	Chisso Corp.		
		JP06261760 A	09-20-1994	Chisso Corp.		
		JP11004692 A	01-12-1999	Nippon Suisan..		
		JP11004693 A	01-12-1999	Nippon Suisan..		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	3
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Complete if Known

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First Named Inventor	Sylvia A. Norman
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U. S. PATENT DOCUMENTS

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 00/58505 A1	10-05-2000	Krupp		
		WO 01/49823 A2	07-12-2001	Biosite Diagnos		

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		C m p l e t e if Known	
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		First Named Inventor	Sylvia A. Norman
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Sheet 3	of 3	Attorney Docket Number	GP141-03.UT

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ROCHE MEDIA RELEASE, "New Rapid Anthrax Test developed through collaboration between Roche Diagnostics and Mayo Clinic", 5 Nov 2001, F. Hoffmann-LaRoche Ltd., Basel, CH.	
		FRIEDLANDER, "Anthrax", Textbook of Military Medicine: Medical Aspects of Chemical and Biological Warfare, 1997, Ch. 22:467-478, Borden Inst., Walter Reed Army Med. Ctr., US.	
		LEBLANC et al., "Less than One Hour Detection of Bacillus anthracis Spores and Vegetative Cells...", (undated), p. 1-4, Infectio Diagnostic Inc., Quebec, CA.	
		LITTLE et al., "Comparative Efficacy of Bacillus anthracis Live Spore Vaccine and Protective Antigen Vaccine...", Infection & Immunity, May 1986;52(2):509-512, ASM, US.	
		SACCHI, et al., "Sequencing of 16S rRNA Gene: A Rapid Tool for Identification of Bacillus anthracis", Emerging Infectious Diseases, Oct 2002;8(10):1117-23, CDC, US.	
		CENTER FOR DISEASE CONTROL AND PREVENTION, "Summary of the Laboratory Response Network", 17 Apr 2002:1-2, CDC, US.	
		CENTER FOR DISEASE CONTROL AND PREVENTION, "Laboratory Response Network (LRN)", 24 Mar 2003:1-18, CDC, US.	

Examiner Signature		Date Considered	
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